

REMARKS

In the Office Action mailed from the United States Patent and Trademark Office on June 24, 2005, the Examiner rejected claims 1-16, 18, 19, 24-29, 31 and 32 under 35 U.S.C. §102(b) as being anticipated by Boswell (United States Patent No. 5,559,933, hereinafter “Boswell”), and rejected claims 17, 20-23 and 30 under 35 U.S.C. §103(a) as being unpatentable over Boswell in further view of Office Notice. Accordingly, Applicant respectfully provides the following:

Rejections under 35 U.S.C. §102

In the Office Action, the Examiner rejected claims 1-16, 18, 19, 24-29, 31 and 32 under 35 U.S.C. §102(b) as being anticipated by Boswell. Applicant respectfully submits that the claim set as provided herein is not anticipated by the cited reference.

The standard for a Section 102 rejection is set forth in M.P.E.P 706.02, which provides:

“... for anticipation under 35 U.S.C. 102, the reference must teach every aspect of the claimed invention either explicitly or impliedly. Any feature not directly taught must be inherently present.”

Applicants respectfully submit that the cited references do not teach every aspect of the amended claim set as provided herein and therefore do not anticipate the claims of the present invention. In particular, each independent claim includes limitations relating to systems and methods for processing print jobs in a networked environment without the use of a print server. For example, independent claim 12 recites a method for managing and processing a print job without any use of a print server, the method comprising: initiating a print job at a client computer device; spooling the print job from a printer driver to a spooler, wherein the printer driver and the spooler are local to the client computer device; placing the print job on a print queue that is local to the client computer device; locally managing the print job until print data of the print job is despoiled to the printing device, said managing the print job including

broadcasting a message relating to the print job across the network from the client computer device to one or more other client computer devices and receiving a response to the broadcast message; despooling the print data from the client computer device to the printing device to process the print job; and updating the local print queue. Such limitations are supported by the present application as originally filed. Similar limitations are included in independent claims 1 and 28.

In contrast, Boswell does not teach or suggest such limitations either explicitly or impliedly. Rather, Boswell teaches access to print servers. For example, Boswell specifically teaches a system that “provides a simple access to print servers produced by Novell, Inc.” (see Col 8, lines 3-5)

Accordingly, Applicant respectfully submits that the cited reference does not teach every aspect of the independent claims as provided herein and therefore does not anticipate the independent claims. Additionally, the dependent claims provide additional limitations to the corresponding independent claims. Therefore, for at least the reasons provided above, Applicant respectfully submits that the cited reference does not teach, either explicitly or impliedly, every aspect of the claims as provided herein and therefore does not anticipate the claims provided herein.

Rejections under 35 U.S.C. §103

The Examiner rejected claims 17, 20-23 and 30 under 35 U.S.C. §103(a) as being unpatentable over Boswell in further view of Office Notice. Applicant respectfully submits that the claim set as provided herein is not made obvious by the cited reference and Office Notice.

The standard for a Section 103 rejection is set forth in M.P.E.P 706.02(j), which provides:

To establish a *prima facie* case of obviousness, three basic criteria must be met. First there must be some suggestion or motivation, either in the references

themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the references or combine reference teachings. Second, there must be a reasonable expectation of success. Finally, **the prior art reference (or references when combined) must teach or suggest all the claim limitations.** The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, and not based on applicant's disclosure. *In re Vaeck*, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991). (Emphasis added).

Applicant respectfully submits that the reference cited by the Examiner does not teach or suggest the limitations claimed in the present invention. In particular, each independent claim includes limitations relating to systems and methods for processing print jobs in a networked environment without the use of a print server. For example, independent claim 12 recites a method for managing and processing a print job without any use of a print server, the method comprising: initiating a print job at a client computer device; spooling the print job from a printer driver to a spooler, wherein the printer driver and the spooler are local to the client computer device; placing the print job on a print queue that is local to the client computer device; locally managing the print job until print data of the print job is despoled to the printing device, said managing the print job including broadcasting a message relating to the print job across the network from the client computer device to one or more other client computer devices and receiving a response to the broadcast message; despooling the print data from the client computer device to the printing device to process the print job; and updating the local print queue. Such limitations are supported by the application as originally filed. Similar limitations are included in independent claims 1 and 28.

In contrast, Boswell does not teach or suggest such limitations. Additionally, Boswell teaches away from such limitations. For example, Boswell specifically teaches a system that "provides a simple access to print servers produced by Novell, Inc." (see Col 8, lines 3-5)

Accordingly, Applicant respectfully submits that for at least the reasons provided herein, the reference cited by the Examiner does not teach or suggest all the claim limitations. And, since the reference cited by the Examiner does not teach or suggest each and every limitation of the independent claims, Applicant respectfully submits that the prior art references do not make obvious the independent claims. And, since the prior art reference does not make obvious independent claims, Applicant respectfully submits that the prior art reference cited by the Examiner does not make obvious the corresponding dependent claims.

Thus, Applicant respectfully submits that for at least the reasons provided herein, the claim set as provided herein overcomes all rejections made by the Examiner in the Office Action.

CONCLUSION

Applicant respectfully submits that the amendments made herein do not add new matter and that the claims are now in condition for allowance. Accordingly, Applicant requests favorable reconsideration. If the Examiner has any questions or concerns regarding this communication, the Examiner is invited to call the undersigned.

DATED this 26 day of September, 2005.

Respectfully submitted,

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